

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

SOLOMON LEE WARREN GRAVES,)	
)	
Petitioner,)	
)	
v.)	1:15CV12
)	
THOMAS E. ASBELL, II,)	
)	
Respondent.)	

ORDER

On July 20, 2015, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 11 and 12.) No objections were filed within the time limits prescribed by Section 636.

Therefore, the court need not make a de novo review and the Magistrate Judge's Recommendation is hereby adopted.

IT IS THEREFORE ORDERED that Respondent's Motion for Summary Judgment (Doc. 5) is **GRANTED** to the extent it contends that Petitioner's claims are not exhausted, that Respondent's Motion for Summary Judgment is **DENIED WITHOUT PREJUDICE** as to the merits of Petitioner's claims, and that this action is **STAYED** in order to allow Petitioner to return to the state courts to exhaust his claims.

IT IS FURTHER ORDERED that upon Petitioner's exhaustion of his state court remedies or the expiration of six months following the date of this Order, Respondent shall file a status report concerning Petitioner's attempts at exhaustion after which the court will enter an appropriate order.

This the 18th day of August, 2015.

William L. Osburn, Jr.

United States District Judge